

# NEW YORK HERALD.

New York, Saturday, January 13, 1844.

THE SUNDAY HERALD, to-morrow, will contain a full report, taken by our special reporter, sent to Providence for the express purpose, of all the evidence given and circumstances known in the atrocious and mysterious murder of Amasa Sprague of Providence. Also, a full account of the circumstances by which "that trunk" of Pomeroy's Express, disappeared, leaving not a trace behind, except the eggs, "marked with care." This will be a complete development of the mystery of the trunk, and will be a final reply to all enquiries on the subject.

## Occupation of the Oregon Territory—Bill for the Establishment of a Territorial Government.

We have before us a copy of the bill introduced into the House of Representatives on the 4th inst. by Mr. Hughes, for the organization of a territorial government in the Oregon Territory. As this subject is exciting a great degree of attention both in this country and in Europe, and as this bill, if passed in its present shape, will doubtless involve very important consequences, we present to our readers the following abstract of its provisions. It contains 42 clauses or sections, namely:—

1st.—This clause proposes that from and after a day to be hereafter inserted, the country, within the following boundaries, shall constitute a Territory for the purpose of a temporary government, by the name of Oregon: All the territory lying west of the Missouri river, and south of the 42nd degree of latitude, and east of the Rocky Mountains, and north of the boundary line between the United States and Texas, and also over the territory comprising the Rocky Mountains and the country between them and the Pacific ocean, south of 41 degrees 40 min. north latitude and north of the 42d degree of north latitude.

2d.—Provides for the appointment of a Governor of the said Territory, who shall reside west of the Rocky Mountains.

3d.—Provides for the appointment of a secretary, who shall also reside west of the Rocky Mountains.

4th.—Defines the duties of the secretary.

5th.—Provides for the establishment of a court with common law and chancery jurisdictions.

6th.—Provides for the election of the civil and criminal laws of the United States till the organization of the General Assembly within the territory.

7th.—Appoints the Governor commander of the militia.

8th.—Empowers the Governor to appoint magistrates and justices of the peace previous to the organization of the General Assembly.

9th.—Directs that when the General Assembly is organized they shall, by an act thereof, define the powers and duties of magistrates and civil officers.

10th.—Provides for the Governor to lay off the Territory into districts and beats for civil and military purposes.

11th.—Directs that when there shall be 25,000 free white male inhabitants over 21 years of age, citizens of the United States, they shall have authority to elect representatives to the General Assembly.

12th.—To 33d.—These clauses prescribe the mode of election, and annual census, the number of representatives (not over 50) in the General Assembly, which shall consist of one legislative Council and a House of Representatives, and defines the duties of the Governor in connection therewith, and also those of the officers of the courts to be established under the bill.

34th.—Governor to perform the duties of Superintendent of Indian affairs within the territory. Salary left blank.

35th.—Salaries of Judges and Clerks to be paid out of the United States Treasury.

36th.—Members of Legislature to receive \$2 per day for every day in session, and fifteen cents mileage.

37th.—Authorizes the President to cause the maps of the United States to be revised, at suitable places, a line of shore, forts and blockhouses, not exceeding five miles, from any point on the Missouri river, to the most accessible route to the South Sea in the Rocky Mountains.

38th.—Requires the President to cause fortifications to be erected at certain points on the Columbia river.

39th, 40th and 41st.—Provisions for grants and sales of land.

42nd.—Authorizes the President to appoint two additional Indian agents, to superintend the interests of the United States with any Indian tribes west of any agency now established by law. Salary of agents left blank as well as the appropriation to carry the provisions of this bill into effect.

It will be seen, from this synopsis, that this bill embraces a complete organization for the territorial government of the Oregon country. There is, however, one important omission in its provisions. Probably this omission may have been purposely made for the purpose of meeting the contingency in the provisions of the treaty which still exists between the United States and England with regard to the territory in question. By that treaty, neither country can encroach upon the present position in which the territory is held between them without giving the other notice of its intention for one year in advance. If this bill should be passed by Congress, the blanks we have specified be filled up, and the President directed to organize a government at once, it would be his duty, in execution of the treaty between this country and England, as well as in obedience to the public voice of the nation, to veto the bill, at least until the provisions of the treaty had been carried into effect as regards the twelve months' notice. We are persuaded, however, that this movement in the House, and the debate and movement in the Senate upon the same subject, have all a common origin—that is, they are supported for the purpose of producing political excitement in the Western States upon the subject of the Oregon territory. And we have not the slightest doubt that whenever the time comes when action will be necessary to be taken, that the western country from north to south will act as one man upon this point. They will claim the whole of that territory in opposition to all the claims put forth by Great Britain, and they will, *vi et armis*, take possession of it, if they are not allowed to do so peacefully. Nor is it in the power of any European government to prevent such an event taking place sooner or later. The western States of this country are increasing with a rapidity far beyond all precedent. They now form a mighty nation of themselves. They are in possession of one of the greatest valleys in the universe; indeed, were it possible, we should have to go to another planet in this system to find such a country as the Valley of the Mississippi presents to the sun every day that he rises from the east. We hear of Hindostan and Persia, of Egypt and of China—but all these countries are trifles, when compared with the magnificence, in every point of view, which presents itself in the Valley of the Mississippi. They can, within their own limits, contain a population equal to the whole population of the globe at this day. In the Congress of the United States they are now, for the first time, beginning to feel their power, and every additional decennial census will only increase that power in a geometrical proportion. Such being the case, we have no doubt that the whole of the country, whatever be the claims of the British government, will eventually be in the possession of the people of the western States. It is as sure as that darkness follows the light.

In the mean time, all these movements in Congress, we are persuaded, have no immediate bearing upon this question, or are intended to throw impediments in the way of the negotiation which is about to be opened at Washington by Mr. Packenham from England. They have been commenced more for the purpose of presidential electioneering during the next summer than with any other object; and, in this point of view, we do not apprehend either difficulty or danger growing out of them.

ENTERPRISE OF THE WALL STREET PAPERS.—Lately these smart concerns have published intelligence from Buenos Ayres, Hayti, and from along shore, under the head of "Postscript" and "Very late from Buenos Ayres," &c. &c. Now it should be known that the South American "news" in question was published at least two weeks ago in the New York Herald, and taken from the Boston papers; that the "news" from Hayti, which all the other papers gave yesterday morning, was also in the Herald of Wednesday evening; and that the loss of the brig Fairfield, which was also published in the large and small papers of this city yesterday morning, was given in the Herald on the 3d inst. Enterprise, truly!

ARRIVAL OF CHAS. LILLY.—This man arrived here yesterday, in the *Hopewell*, from New Orleans, in charge of officer Hall, of Albany. It will be recollected that he killed McCoy, in the prize-fight at Westchester, some time ago. He gave himself up to the authorities at New Orleans, on the 15th of last November. We understand that he has not yet recovered from the injuries he received in the "smoking."

THE GREAT THEOLOGICAL COCK-FIGHT.—The fighting-cocks in the great theological war increased all around and a bit further.

In our columns to-day will be found two powerful broadsides, fresh as you can desire. The first is that of the Rev. Doctor Wainwright, taken from the "Commercial Advertiser" of last evening, in reply to the broadside of Doctor Potts which we published yesterday. The second is the beginning of another match, taken from the "Evening Post"—one who appears to be a fighting-cock of the very first quality, called the Rev. Peter Polemic, who dares any one to enter the pit with him on this important question—"Whether a church can exist without a steeple?"

We understand it is very important that this question should be decided at an early day. The new Trinity Church is nearly up, all but the steeple, and it is understood that the Trustees cannot proceed a foot further upwards, towards the blue heaven, 'till this question be decided. As a good citizen we open our columns to all respectable theological fighting-cocks on this question. So go ahead.

## The Mystery Solved—Pomeroy's Trunk Recovered—Arrest of the Individual who Stole that Trunk—His Commitment to the Tombs—His attempt to Escape—Great Excitement amongst the Wall Street Brokers.

At length we are enabled to place the history of this singular robbery before the public. Yesterday, about half past twelve o'clock, the messenger of the Bank of New York called at the Merchants' Bank for the purpose of settling the exchange account. Among the notes of the Merchants' Bank, held by the Bank of New York, was one for \$500, which was recognized by the Teller as being one of the notes lost by Messrs. Drew, Robinson & Co., No. 40 Wall street, who had given the letter and number to every bank in the street. Messrs. Drew and Robinson were sent for immediately, and they unhesitatingly pronounced it to be the note. It is a little singular that this was the only note the mark of which had been taken at Troy, previous to having been given into Copp's possession. Enquiries were instituted at the Bank of New York, and it was ascertained that it had been deposited there by the firm of William A. Voseh & Co., importers of German goods, No. 14 Cedar street. Information was conveyed to the Mayor by Mr. Daniel Drew, while the rest proceeded to Cedar street, to make the necessary enquiries from Voseh & Co. There they learned that the note had been received for a bill of goods purchased by a German named Lachner, who gave his residence at No. 32 Rivington street.

The Mayor instantly dispatched his first Marshal, Anson Clarke, to arrest Lachner, and, with his usual tact and activity, that officer pounced upon his man as he was leaving the store of Roschmuller, No. 109 Cedar street, and by a ruse brought him to No. 14 Cedar street, where was the Mayor. Lachner was instantly recognized by Mr. Voseh as the person who had passed the bill. An officer was dispatched to Justice Taylor of the Upper Police, with instructions from the Mayor to search the premises No. 32 Rivington street, and arrest all persons found there and bring them to the Mayor's office. Meanwhile, the prisoner Lachner was given into the custody of the Marshal, who was aided by David Leavitt, Esq., President of the American Exchange Bank, who, throughout, rendered the most efficient aid to the Mayor in this matter. On the way to the office, the prisoner, who is a large, athletic man, made a very desperate effort to escape—being, as the Marshal describes him, "very ugly indeed," but he was too securely held on either side to break away, though he tore up the sleeve of his coat in the struggle. He was then pinioned and safely lodged in the office to await the result of the search. On his person was found about \$450.

In about half an hour Justice Taylor arrived in a two horse cab, having in custody the wife of Lachner, and the very identical trunk, marked with Pomeroy & Co.'s name on the end in white paint—also, three other trunks of a much larger size. The trunk was discovered under the bed in the basement story of the house, the upper portion of which is occupied as a school house. A quantity of the bills were found stowed away in the bed, and among the clothing of the woman—also in the other trunks. The wife cried bitterly as she was being led away, and denied any knowledge of the possession of the money by her husband. Lachner was at once committed to the Tombs, with his arms tied behind his back with a strong cord. The examination of the trunk was then proceeded with, and Messrs. Drew, Robinson, and Popoon were appointed to count the money. They counted over forty-four thousand dollars, and it is believed by these gentlemen, and by the Mayor, that all the money, with the exception of \$1000, is safe. The examination has been strictly private, every person resembling a reporter or newspaper agent being especially prohibited. The above facts, however, can be depended upon, as they were communicated officially by order of his Honor the Mayor.

The story of Lachner is, that he left Germany last summer and arrived in this city in the month of June, and proceeded to settle, as a merchant, in Milwaukee, where he has a partner; that about seven weeks ago he arrived here from Milwaukee to purchase goods, and on the 5th January last he married his wife, who, it appears, he was acquainted with in his own country. Among the articles found on his premises, was a gold watch and several valuable trinkets, which he had presented to her on their marriage. He was on the eve of starting to Milwaukee, via Buffalo, where he intended to purchase a team and go over land. But it is doubtful—very much so indeed—whether he will now make this journey. He refuses to tell any thing about how he came in possession of that trunk, though we learn that a man has recognized him as being the person he saw crossing the Park with a black trunk, about three o'clock on the morning of the robbery. His wife has been allowed to go home under the charge of an officer. The investigation had not been at the Mayor's office at a very late hour last night. A portion of the money had been changed into gold, and it is somewhat singular that this did not lead to the discovery.

The office of the Mayor was literally besieged from the moment the arrest became known. The Wall Street brokers were swarming in and about the door and avenues leading to the office, endeavoring to gain information. On all sides, congratulations were uttered, that light had at length been shed on this mystery, and that the foul suspicion which had been so strangely cast on the character of some of our most honorable and upright citizens has been so signally removed. The most singular part of the entire transaction is the origin of these suspicions, and the high game marked out by the originators to throw the scent from off the track of the real villains. That such could not have originated with Lachner alone is certain, and we learn that officers have been despatched post-haste in various directions. We shall probably be allowed some further insight into the matter during the day.

HALF PAST TWELVE.—Since writing the above, we have seen His Honor, who is in excellent spirits. He was busily engaged in writing letters to Albany, Troy, Buffalo, Rochester, and to other places, announcing the discovery and the arrest of the thief. We were shown the bill which led to the discovery. It was a five hundred dollar bill, letter B, number 6, dated July 1st. It is perfectly new. As we said above, it is the only note, out of the \$44,000, of which we have any positive description. We learned from His Honor, that the information given before him on the morning of the robbery was correct in every particular. The testimony given by Westchester, the Greek, and the other steamboat runner, whose name we did not recollect, was, that on the morning of the

robbery a man of the height, size and description of Lachner came down by the Albany boat, and had with him a small black trunk and a buffalo skin—that he was driven to the house of Schwartz in Washington street and quarrelled with the driver of the cab whether he should pay him a quarter or one shilling—and the driver then noticed that the man had rings in his ears. After depositing the trunk and buffalo skin in Schwartz's bar-room, he said that he had left his umbrella on board the boat and started to find it. The Greek (as the runner is familiarly known) met him as he came off the gang-way of the boat with the very identical trunk, and helped him to carry it to his cab, and drove him to Schwartz's house, for which he received a half dollar. The man did not bring the trunk into the bar-room but left it in the entry, and the bar-keeper states that, after his return the second time, he observed that, not being able to find the umbrella he would take the buffalo skin and again search the boat. The man left and did not return again until late for the hair trunk. It has been fully ascertained that on that very morning, the tale tallying exactly with the testimony of the Greek and of the bar-keeper, a man was seen crossing the Park with a trunk on his shoulder and something like a buffalo robe under it. And here is corroboration that Lachner was the very man. The hair trunk and buffalo skin were found on the premises where Pomeroy's trunk was discovered—and the prisoner Lachner has rings in his ears. Such circumstantial testimony is conclusive. The Mayor does not think that the prisoner knew what the trunk contained when he stole it. Nor does he think that any other persons were concerned in the robbery.

How this man could have so long escaped the vigilance of the Police is most strange, when the description of his person was so minute. So accurate was the testimony given by Westchester, the Greek and the other runner, that persons laughed at the Mayor for taking any notice of it, such was the general character of the parties. But, as his Honor observed, testimony from any quarter, under such circumstances, was not to be neglected or despised—and so it turns out.

Such is the history and issue of this singular affair.

THE ITALIAN OPERA.—It is now settled, we believe, that we are to have the Italian Opera fairly established by the beginning of next month. Mr. Palmio has made an engagement with the company who appeared at Niblo's in the summer, including Middle Borghese. He offered terms equal to \$100 or \$120 a night to Madame Castellan, for an engagement of nine nights, she to take her part according to the convenience of the other portions of the opera; but, in consequence of her speedy departure for Europe, it was necessary that her nights should be consecutive, to which Palmio could not agree, and, of course, this negotiation has been broken off. It is settled, therefore, that we are to have the old company which appeared at Niblo's, with Signor Antognini and Middle Borghese. Now, with such a company it may be asked, what prospect is there of success? No doubt Palmio will do the best he can to give permanent footing to the opera, but are the strength, power, talent and popularity of this company, competent to ensure full success?

This question can only be answered by referring to the history and fate of former attempts made to establish an opera in this city. About sixteen or seventeen years ago, Messrs. Price and Simpson, at the Park, made the first effort to establish a permanent operatic troupe. They engaged the elder and younger Garcia, Mad. Garcia, Angriani as bass, Rosich as buffo, and the immortal Malbran as prima donna. This was a most *cherché*, powerful and accomplished troupe. Garcia was a splendid actor, a great singer and a finished musician. Angriani was one of the first in his line. Rosich was an incomparable comedian, and every one knew what Malbran was. This company gave us a number of operas, principally of Rossini's—the *Barbier de Seville*, *Therese*, *Otello* and others, including *Don Giovanni* from Mozart. This was undoubtedly the most talented, brilliant and accomplished troupe that ever visited this country. Yet it hardly succeeded. Such was the incipient state of musical taste then, that on many occasions during the most splendid passages, where amateurs almost half the house, we have seen amateurs almost half asleep in the second tier. They played here for a whole winter, however, and then Garcia went to Mexico, where he died; and Malbran, who married here, died a year or two ago, and never returned to Europe, and entered on the most brilliant period of her memorable career.

A second attempt was made about six or seven years ago, when the National Theatre was first built at the corner of Leonard and Church streets. It was a very beautiful house, and a great effort was made by the fashionable circles to have an opera established here. An Italian gentleman accordingly went to Europe and collected a troupe, with Malbran as prima donna, and a very fine company of young men, but now so celebrated in Paris and London; Mad. Pedrotti and Middle. Fanti as prima donnas. The talent of this company was very respectable and very finished; inferior, perhaps, but not far removed from the first. They gave us operas for a year or two, but still a very excellent and effective company. For a few weeks or so this company drew splendid and fashionable houses; but, by some means or other, after a season or two it fell, the troupe was separated, and the whole thing was broken up.

Since that time it must be acknowledged that the musical taste of New York and of the country has been very much increased, improved and strengthened. We need go no farther for proof of this than the recent mania in relation to the violinists. We have a greater taste for music—a higher relish for the opera—and, besides, a higher taste to patronize a troupe. But it is probable that a company by no means equal in point of talent to either of those alluded to can minister successfully to this improved taste and this increased relish. We think this is very doubtful. We need go no farther for proof of this than the recent mania in relation to the violinists. We have a greater taste for music—a higher relish for the opera—and, besides, a higher taste to patronize a troupe. But it is probable that a company by no means equal in point of talent to either of those alluded to can minister successfully to this improved taste and this increased relish. We think this is very doubtful. 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